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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,785	01/02/2001	Takashi Nishigaya	121.1010/HEW	7478

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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,785

Applicant(s)

NISHIGAYA ET AL.

Examiner

Paul H. Kang

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11 and 13-25 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) 7 and 16 is/are allowed.
6) ☒ Claim(s) 1-2, 4-6,8-11, 13-15,17-21,24 and 25 is/are rejected.
7) ☐ Claim(s) 22 and 23 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/14/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 7 and 16 allowed. Claims 22 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art teaches the invention substantially as claimed. However, the prior art does not teach either alone or in combination a system wherein the message has information that the flow control unit is set as a transmission destination for another message that includes an event object resulting from the selected actions.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of claims 7, 16, 22 and 23 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

Art Unit: 2141

be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6, 8-15, 17-21 and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Codd et al., US Pat. No. 6,421,667 B1.

3. As to claims 1, 8 and 10, Codd teaches an apparatus and method for dynamically determining a flow by means of an action chain in event processing performed in a distributed system, the apparatus comprising:

an action/attribute storage unit for storing information regarding actions to be executed upon receipt of an event object, separated from a server object (col. 9, lines 40-65); and

Art Unit: 2141

flow control unit selecting actions to be ignited from the actions stored in the action/attribute storage unit in accordance with a type the received event object (col. 3, line 59 – col. 4, line 32 and col. 15, line 16 – col. 16, line 65);

wherein when receiving another event object as the result of execution of the selected action, the flow control unit selects actions to be ignited next and executed from the actions in the action/attribute storage in accordance with a type of the newly received event object so as to dynamically realize a chain of actions (col. 15, line 16 – col. 16, line 28 and col. 22, line 52 – col. 23, line 44).

4. As to claims 2 and 11, Codd teaches an apparatus wherein the action/attribute storage unit stores a definition of an action which is executed upon reception of an event object, separately from a definition of an input pattern which serves as a condition under which the action is selected, whereby behavior for an event is changed through modification of the definition of the input pattern without necessity of changing the definition or configuration of the action (col. 3, line 59 – col. 4, line 32 and col. 15, line 16 – col. 16, line 65).

5. As to claims 4 and 13, Codd teaches the apparatus wherein the value of the event object or the attribute values of the event object, is included in the definition of the input pattern stored in the action/attribute storage unit, whereby ignition of each action is controlled on the basis of the definition of the input pattern (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 65).

Art Unit: 2141

6. As to claims 5 and 14, Codd teaches the apparatus wherein the name of an action which is expected to be executed immediately before another action is included in the definition of the input pattern stored in the action/attribute storage unit; and the flow control unit checks the definition of the input pattern in time of selection of actions to thereby control the order of actions to be executed (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

7. As to claims 6 and 15, Codd teaches the apparatus wherein the flow control unit stores a list of actions already executed, when the flow control unit selects actions, and the flow control unit excludes an action or actions which have been executed from actions to be ignited to thereby prevent the flow from forming an endless loop (col. 17, lines 8-47).

8. As to claim 9, Codd teaches an apparatus and computer readable medium for dynamically determining a flow by means of an action chain in event processing performed in a distributed system, the apparatus comprising:

an action/attribute storage unit for storing definition information regarding each of actions (col. 9, lines 40-65);

receiving a message (col. 3, line 59 – col. 4, line 32);

transmitting a message (col. 3, line 59 – col. 4, line 32);

changing definition information regarding an action when the received message is a request for changing the definition information regarding the action (col. 3, line 59 – col. 4, line 32 and col. 10, lines 7-61),

Art Unit: 2141

comparing the contents of a parameter of a message which is received as an action execution request with the information stored in the action/attribute storage unit in order to select a matched actions (col. 15, line 16 – col. 16, line 28);

upon receipt of an event object selecting actions to be executed next in accordance with a type of the received event object to execute the selected action (col. 15, line 16 – col. 16, line 28);

wherein the processing for selecting an action to be executed next in accordance with a type of the received event object is repeated so as to dynamically realize a chain of actions (col. 15, line 16 – col. 16, line 28 and col. 22, line 52 – col. 23, line 44).

9. As to claims 17, 24 and 25, Codd teaches a distributed system comprising a dynamic flow determination apparatus which processes events cooperatively with one or more other apparatuses, wherein each apparatus keeps actions and attributes defined separately from the other apparatuses (col. 3, line 59 – col. 4, line 32 and col. 15, line 16 – col. 16, line 28);

a dynamic flow of actions is determined through selection of actions corresponding to an input event (col. 8, line 16 – col. 16, line 28); and

when receiving an event object as the result of execution of a selected action, a flow control unit selects actions to be next activated and executed from actions in an action/attribute storage in accordance with a type of the event object (col. 15, line 16 – col. 16, line 28 and col. 22, line 52 – col. 23, line 44).

Art Unit: 2141

10. As to claim 18, Codd teaches the system wherein different input patterns are defined for an event, and each of the different input patterns correspond to each of the different action of the event, thus the dynamic flow of actions for an event is determined (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

11. As to claim 19, Codd teaches the system wherein when an executed result of an action is returned, further another action is determined through the input pattern of an event following the result of the action (col. 15, line 16 – col. 16, line 28).

12. As to claim 20, Codd teaches the system wherein an attribute value of the action is defined for an event, so that the chain in dynamic flow of the action is controlled through the definition (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

13. As to claim 21, Codd teaches the system wherein a name of an action which is expected to be executed before the action is listed, so that the dynamic flow of action is determined through referencing the action name in time of selection of the action (col. 15, line 16 – col. 16, line 28).

Response to Arguments

Applicant's arguments filed June 14, 2005 have been fully considered but they are not persuasive. The applicants argued in substance that Codd does not teach or suggest “a flow control unit that ‘when receiving another event object as the result of execution of the selected

Art Unit: 2141

action...selects actions to be next activated and executed' in accordance with a type of the newly received event object...Codd teaches a 'responses data store' having entries with an 'executable response field' storing an executable response. Codd also teaches an expression evaluator and a task correlator that work together to identify actions to take based on the occurrence of particular types of events and conditions. Neither these elements nor any other elements taught in Codd are comparable to the flow control unit of claim 1." See Applicants' Remarks pages 10-11.

The examiner respectfully disagrees with Applicants' interpretation of Codd. The device of Codd is designed to perform an action based on an action or attribute (i.e. update the inventory record 949, See col. 22, line 52 – col. 23, line 44). This action produces a resulting value, a notice record 953, i.e. another event object as the result of execution of the previous action. Based on the type of this value, the system then selects another action (See col. 23, lines 20-44). This process is deemed to anticipate the applicants' invention as claimed.

During examination of this patent application, the claims were given their broadest reasonable interpretation in light of the specification without reading limitations into the claims from the specification. A "flow control" is as recited in the claims performs no more than what's taught by the prior art of record.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2141

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PAUL H. KANG
PRIMARY PATENT EXAMINER